

establishment of rules and regulations for schools; or any other right or privilege granted, or any power placed in the hands of school trustees, are legislative Acts that must be conclusively presumed to apply to such schools and only such schools as are established by and are under the jurisdiction and control of the state. The trustees of school districts in Montana have as much legal power to pay a pupil's transportation to a school in Maine or California as to one in Wyoming.

Opinion No. 348

**Schools—Pupils—Transportation—
Tuition and Board—Attendance Out-
side.**

HELD: A school board of a district in Montana may not make an allowance for tuition, board or transportation for pupils attending a school outside of the State of Montana.

September 23, 1933.

You request an opinion from this office on the following question: "May a school board of a district in Montana make an allowance for tuition, board or transportation for pupils for attendance in a school district outside of the State of Montana?" You state that you have rendered an opinion denying the power of any school board to expend school funds for such purposes.

The creation of any school district; the employment of teachers; the furnishing of books and other equipment, transportation or board, for pupils; the